

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

AHMAD JEBRIL

V.

C.A. NO. C-07-436

UNITED STATES OF AMERICA, ET AL.

PRELIMINARY INJUNCTION TO STOP  
ESCALATED SEVERE CAMPAIGN OF  
HARASSMENT

United States Courts  
Southern District of Texas  
FILED

MAY 02 2008

Michael N. Milby, Clerk of Court

In order for me to effectively persue my case I ask that the court stop the escalated retaliatory tactics used by the Three Rivers - FCI administration and staff in retaliation for me filing this case against them.

1) The court denied me appointment of counsel for the second time on 3/18/08.

There is "exceptional circumstances" such as my problem in getting incoming mail and sending mail as I will detail in this motion.

Also, the library here is not adequate for any type of serious legal research.

Respondants are highly paid staff yet get an assistant US attorney with unlimited universal resources appointed for them. Yet me, an indigent inmate in a prison that lacks an adequate law library can't get an attorney appointed for me.

I went through different means to get a private attorney and contacted through my family tens of agencies to help me but was unable to find a way to hire an attorney.

2) As to the escalated campaign of harassment regarding my mail, I have been having major problems with my mail since I arrived to this establishment that I wanted as part of my Bivens complaint and I mentioned to Hon. Owsley in one of our phone hearings, yet it was not documented as part of the case.

The matters relating to "mail issues" have clearly escalated since the filing of my lawsuit.

I go to the mail room to send legal mail yet get turned away while mail is taken from other inmates.

On 2/4/08 @ 8:30 am I went to send legal mail but the officer waived me off and refused to open the door.

At 9:30 am he still refused to open the door so I left. I seen an inmate heading there, he opened the door for him so I stepped in right after and he took it with an attitude.

This has occured many times and has been consistantly going on.

Mail I have been getting from your court has never reached me less than 8 days from postage mark date.

It does not take 8 days to send a letter from Corpus Christi to Three Rivers.

Some of the legal mail from the court and others takes over 2 weeks to

reach me from the day that it was post marked and sometimes even more than that.

I have also been receiving both legal and personal mail opened and sometimes empty.

On 1/24/08 I got a letter opened and stapled as they usually are given to us from the mail room, when I checked the letter was empty.

I informed the officer and he said to talk to R & D. Several inmates standing near us seen it.

I also received some legal mail in the same kind of way.

Mail is also greatly delayed. Some mail from my wife took over 45 days from the day it was post marked to reach me. All in English.

I have kept many of the envelopes as proof and documented when I received them.

These are beyond what constitutes exceptional circumstances to hire a lawyer.

I would also ask the court for an injunction to stop this kind of harassment.

I would also like to state for the record that I'm not responsible if I do not respond in a timely manner to motions or other legal matters from your court or any other court or if I do not even respond at all due to me getting the mail delayed and after the time the court permits me to respond or if I do not respond at all because I may not be getting all my mail.

Most of the mail my family send me I do not receive and I know that because I'm able to call my family. Mail from the court is probably the same however I cannot contact the court through no other means.

3) Recently they added email service to our units. They have been harassing me in that as well.

My average email takes 3-4 days to get to me. Inmates here get their regular mail faster than I get my email.

They said there is a 1 hour delay on email to read it before it is sent or received!

My email takes days. ~~The~~ fastest emails going and coming take no less than 24 hours. They cannot deny this because I'm willing to have my family sign releases for the court to see when they send it and when I get it.

There is no purpose to delay my email for this long other than to harass me especially because I have been using the email to contact my wife to help me in legal matters regarding this case.

There is no reason to hold my email that long when they already hold it for one hour.

I also have phone access that is not delayed so what I write in emails should be treated like the phone and like other inmates are treated.

4) The respondent Captain Higginson has been personally directing staff to harass me.

On 2/12/08 an inmate leaving the compound for medical reasons asked me to help carry his bag to the R & D room. I did so @ 12:30pm and passed the check point by the metal detector area. The regular officer working that area did not harass me as he usually does this particular time.

He looked at my large bag and did not say a word.

The captain standing nearby with the tall assistant warden were only feet away.

Inmates I know and dont know said as I walked off (the captain is starring at you - he's out to get<sup>WIS</sup> the way he is looking at you). I placed the bag in the R & D then looked back and the tall Assistant Warden starring at me.

I headed back towards my unit and thats when the officer stopped me based on the direct request of the Captain.

He asked about the bag on my returning to the unit after I dropped it off and did a hostile vigorous body search.

I looked back as he was searching me and there was Captain Higginson and his partner the Tall A & W smiling.

This is one of many incidents to show that the harassment I undergo intensified and is under the direct order of the captain for my filing of this case and his discrimination and hatred to Islam.

5) Inmates who walk with me have been getting harassed on a continued basis.

For example on 3/2/08 @ 6:08pm a short officer at the shack began to mimic an inmate walking with me saying my name.

Several days before they stopped that same inmate for an alcohol test.

On 2/5/08 an inmate walking with me was pulled over and asked for his name and the officer wrote it down and told him to go on.

This happened on 2/7/08 and 2/10/08 and many times prior and after that but I had thought it was coincidental until I seen that every person I walk with gets stoped until the officers know who he is.

Now inmates refuse to walk with me.

The reason for this is because any inmate who walks with me sees how I'm treated and is a possible witness but these tactics scare them away.

6) Regarding my safety on this this compound. On 3/28/08 the compound was on lock down for a major riot that ended in the death of one inmate only feet away from my cell with many other injured.

a) This just shows how dangerous this compound is because it is a medium-high and I got 6 custody level points which means I should be in a camp.

Due to the unjustified management variable that they refuse to inform me why it was placed I have been taken two levels above my regular custody level.

If anything happens to me on this dangerous compound it will be the responsibility of the court for not looking in this matter and ordering me placed in the right custody level as well the responsibility of the respondents.

b) Respondents claim I'm here on close supervision basis and justify their harassment regarding mail and other issues I complain about because I need close supervision, not telling my why! For the record, had respondents placed those inmates who REALLY NEED close supervision and harass them with their mail, email and search them as they search me that massacre would of been prevented!

They wasted their energy and resources on me and let those who really need to be searched and monitored go roam freely. The result is the massacre that occurred on this compound and made it to CNN and international media.

This should be a lesson to learn from that they need to fully investigate claims brought against inmates to see who really need the continuous searches and monitoring.

7) The religious violations have intensified as well! During lockdown I needed my religious diet (common fare). The chaplain Rabb came to talk to me after 2 weeks of requesting my meal. When he came to talk to me he said he needs to ask his superiors, meaning Higginson. When he came back he was angry and hostile and said look here is what I was ordered to tell you (write a cop-out to the chaplain). His superiors (Higginson) routed him on me. He refused to wait to take the cop-out and ran off. He left the unit an hour later (meaning he could of waited). He never returned nor did he give me my religious meals (SEE EXHIBIT #1)

8) I would also like the court to issue an injunction so that I may be able to enter the chow hall without having to violate my religious rights by lowering my pants below the ankle as they request me to do and as stated in the original complaint. This matter may take a long time and I would like a temporary order to allow me to enter the chow hall not being harassed and not violating my religious rights, and they not cut my diet off for fabricated reasons.

Lastly, in *Bart v. Telford*, 677 F2d 622 (7th Cir 1982) it was clearly established that I have solid grounds of a (campaign of harassment). The three things I must show to prove I have been illegally retaliated against for filing the lawsuit are:


1) I have a constitutional right to do what I was doing which is a protected conduct.

2) What the staff have been doing namely respondents and especially the captain the source of all these problems if bad enough to stop an average person from continuing with their suit. I'm so terrorized by this captain that I have ~~been~~ seriously been thinking of halting this suit. They are doing this to me while the suit is ongoing and from the way I see things going and knowing that most suits like mine end up losing I fear what they have in plan for me when and if I lose the suit since this goes on now.

3) There is a causal connection. The stated facts in this motion clearly show what was done was because of my lawsuit. The officials adverse action was directly related to my protected conduct.

I pray that the court grant me a preliminary injunction on each of these matters mentioned in this motion. Valvano v. McGrath 325 F. Supp. 408(E.D.N.Y. 1970).

Respectfully Submitted

  
Ahmad Jebril #31943039  
Federal Correctional Institution  
P O Box 4200  
Three Rivers, TX 78071

4/28/08

CERTIFICATE OF SERVICE

I hereby certify that on April 29, 2008 at 9:30am I handed the mail room officer the attached motion for preliminary injunction addressing one to the court with proper 1st class stamps:

Clerk  
U S District Courth  
Southern District of Texas  
1133 N. Shoreline, Room 208  
Corpus Christi, TX 78401

and another to:  
Don DeGabrielle  
U S Attorney, SDTX  
910 Travis St. Suite 1500  
P O Box 61129  
Houston TX 77208

  
Ahmad Jebril

## INMATE REQUEST TO STAFF CDFRM

BP-A148.055

SEP 98

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

TO: (Name and Title of Staff Member) <b>Chaplain Rabb</b>	DATE: <b>4/9/08</b>
FROM: <b>Ahmad Jebril</b>	REGISTER NO.: <b>31943-039</b>
WORK ASSIGNMENT:	UNIT: <b>LOA -121U</b>

SUBJECT: (Briefly state your question or concern and the solution you are requesting. Continue on back, if necessary. Your failure to be specific may result in no action being taken. If necessary, you will be interviewed in order to successfully respond to your request.)

**I DEMAND to be on common fare during lockdown for my muslim faith teaching b/c I have no other choice during lockdown. Initially you said @ 1:10 pm I got to ~~see~~ make calls b/c of what I did since Nov. What did I do? I stopped coming to jumah? "If" thats what you meant then its b/c Higgeison, you and your likes ran me off w/ your harassing tactics. Then @ 2pm you came back and said (listen closely I've been ordered to tell you write a cap-out to Chaplain) I asked you "wait 1 minute w/ cap-outs take days to get to you & I need food. You said (No). I want you to know you & who ordered you are violating my religious rights. You will be legally responsible for this. when not on lockdown, I got other options for food now I need it. This is why not ~~write now~~ approach you & YOUR SUPERIORS unless I'm desperate. I've been getting the run around on this since 1st day of lockdown**

**POSITION: You and who ordered you are as I always said (are eager to harass & violate my religious rights)**

2:30pm but could not take this cap-out 1 minute

Signature Staff Member

Date



Ahmad Jebril #31943-039  
Federal Correctional Institution (LOA)  
P O Box 4200  
Three Rivers, TX 78071

United States Courts  
Southern District of Texas  
FILED

MAY 02 2008

Michael N. Milby, Clerk of Court

LEGAL MAIL

SAN ANTONIO  
RIO GRANDE DISTRICT  
30 APR 2008



Clerk  
U S District Court  
Southern District of Texas  
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